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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/780,289

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Edward B. Eytchison

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EXAMINER

BAYARD, DJENANE M

ART UNIT

PAPER NUMBER

2141

DATE MAILED: 01/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/780,289

Applicant(s)

EYITCHISON, EDWARD B.

Examiner

Djenane M Bayard

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 15-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 15-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Arguments***

1. This is in response to amendment filed on 10/18/04 in which claims 1-10 and 15-20 are pending. Applicant's arguments have been fully considered but they are not persuasive. Therefore, this case is made FINAL.

2. As per claims 1, Applicant argues that each of the independent claims is directed to a method, apparatus and instructions in machine-readable medium for controlling a home audio/visual network device with a web browser, wherein a second network does not allow control of devices with a web browser. Furthermore, applicant argues that the prior art fails to discuss control of a device using a web browser. However, controlling a home audio/visual network device with a web browser, wherein a second network does not allow control of devices with a web browser was only introduced with applicant's amendment on 10/18/04.

3. Applicant failed to underline line 1 of claim 1. Applicant is required to underline all new amendment to the claims.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the

Art Unit: 2141

international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-2, 15 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated U.S. Patent No. 6,735,619 to Sawada.

a. As per claims 1, 15, 16, Sawada teaches method comprising: detecting messages from a web browser operating on a first network (See col. 4, lines 42-55); monitoring a second network to detect if a home audio/visual network device becomes coupled to the second network, wherein the second network does not allow web browser control of devices (See col. 4, lines 62-67); in response to detecting the home audio/visual network device becoming coupled to the second network, assigning an Internet protocol address to the home audio/visual network device (See col. 5, lines 20-25).; associating the Internet protocol address with the home audio/visual network device on the second network (See col. 5, lines 20-25).; providing the Internet protocol address to the web browser operating, on the first network (See col. 5, lines 15-20, The IP address is provided to the gateway apparatus that is accessible from a web browser of a computer terminal on another network); receiving a control message sent to the Internet protocol address from the web browser (See col. 4, lines 50-55).; translating the received control message; and sending the translated control message to the home audio/visual network device operating on the second network (See col. 2, lines 39-52).

b. As per claim 2, Sawada teaches wherein the first network uses a Video Electronics Standards Association Home Network protocol (See 5, lines 15-20, VESA

Art Unit: 2141

specifies the use of IEEE 1394b as the home backbone protocol and is capable of connecting to other networks).

6. Claim 17-20 are rejected under 35 U.S.C. 102(e) as being anticipated U.S. Patent No. 6,523,696 to Saito et al.

a. As per claim 17, Saito et al teaches detecting a message sent from a first home audio/visual network to a second network, wherein the message includes an Internet protocol address, wherein the Internet protocol address is not recognized by devices operating on the second home audio visual network (See col. 27, lines 15-67); associating the Internet protocol address with a home audio visual network device operating on the second network; translating the detected message into a control message; and sending the control message to the home audio/ visual network device (See col. 28, lines 5-60).

b. As per claim 18, Saito et al teaches wherein the first home audio/visual network uses a first network protocol and wherein the second home audio/visual network uses a second network protocol (See col. 3, lines 20-50).

c. As per claim 19, Saito et al teaches wherein the first network protocol comprises a VHN-type protocol (See col. 3, lines 20-50).

d. As per claim 20, Saito et al teaches wherein the second network protocol comprises a HAVi-type protocol (See col. 3, lines 20-50).

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S.

Patent No. 6,735,619 to Sawada in view of U.S. Patent No. 6,523,696 to Saito et al.

a. As per claim 3, Sawada teaches the claimed invention as described above.

However, Sawada fails to teach wherein the second network includes a Home Audio/Video Interoperability protocol.

Saito et al teaches a communication control device for realizing uniform service providing environment. Furthermore, Saito et al teaches wherein the second network includes a home/audio interoperability protocol (See figure 7 and col. 18, lines 50-65, The Home Audio video Interoperability (HAVi) was implemented to provide communications via the IEEE bus 1394).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein the second network includes a home/audio interoperability protocol as taught by Saito et al in order to inter-connect digital networks between a home and carry out control of devices through network (See col. 2, lines 47-50)

Art Unit: 2141

9. Claims 5, 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,735,619 to Sawada in view of U.S. Patent No. 6,618,764 to Shteyn.

a. As per claim 5, Sawada teaches the claimed invention as described above. However, Sawada fails to teach a method of facilitating interoperability between two networks, the method comprising: providing a VHN network having a VHN element; providing a HAVi network having a HAVi element; providing a protocol translator coupled with the VHN network and the HAVi network; and controlling the VHN element with the HAVi element.

Shteyn teaches a method of facilitating interoperability between two networks, the method comprising: providing a VHN network having a VHN element; providing a HAVi network having a HAVi element; providing a protocol translator coupled with the VHN network and the HAVi network; and controlling the VHN element with the HAVi element (See col. 8, lines 50-65 and col. 9, lines 1-50).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate a method of facilitating interoperability between two networks, the method comprising: providing a VHN network having a VHN element; providing a HAVi network having a HAVi element; providing a protocol translator coupled with the VHN network and the HAVi network; and controlling the VHN element with the HAVi element as taught by Shteyn in the claimed invention of Sawada et al in order to accommodate existing and emerging home networking architectures and application (See col. 8, lines 37-40).

Art Unit: 2141

b. As per claim 7, Sawada teaches the claimed invention as described above.

However, Sawada fails to teach wherein controlling comprises controlling HAVi device with a VHN device.

Shteyn teaches wherein controlling comprises controlling HAVi device with a VHN device (See col. 9, lines 1-50).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein controlling comprises controlling HAVi device with a VHN device as taught by Shteyn in the claimed invention of Sawada et al in order to accommodate existing and emerging home networking architectures and application (See col. 8, lines 37-40).

c. As per claim 8, Sawada et al teaches the claimed invention as described above.

However, Sawada teaches wherein controlling comprises controlling a HAVi device with a VHN application.

Shteyn teaches wherein controlling comprises controlling a HAVi device with a VHN application (See col. 9, lines 1-50).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein controlling comprises controlling a HAVi device with a VHN application as taught by Shteyn in the claimed invention of Sawada et al in order to accommodate existing and emerging home networking architectures and application (See col. 8, lines 37-40).



Art Unit: 2141

d. As per claim 9, Sawada et al teaches the claimed invention as described above. However, Sawada failed to teach wherein controlling comprises controlling a HAVi application with a VHN device.

Shteyn teaches wherein controlling comprises controlling a HAVi application with a VHN device (See col. 9, lines 1-50).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein controlling comprises controlling a HAVi application with a VHN device as taught by Shteyn in the claimed invention of Sawada in order to accommodate existing and emerging home networking architectures and application (See col. 8, lines 37-40).

e. As per claim 10, Sawada et al teaches the claimed invention as described above. However, Sawada failed to teach wherein controlling comprises controlling a HAVi application with a VHN application.

Shteyn teaches wherein controlling comprises controlling a HAVi application with a VHN application (See col. 9, lines 1-50).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein controlling comprises controlling a HAVi application with a VHN application as taught by Shteyn in the claimed invention of Sawada in order to accommodate existing and emerging home networking architectures and application (See col. 8, lines 37-40).

Art Unit: 2141

10. Claims 4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,735,619 to Sawada in view of U.S. Patent No. 6,523,696 to Saito et al. as applied to claims 3 and 5 above, and further in view of U.S. Patent No. U.S. Patent No. 6,085,236 to Lea.

a. As per claims 4 and 6, Sawada in view of Shteyn teaches the claimed invention as described above. However, Sawada failed to teach wherein the protocol translator comprises: a HAVi bridge control manager; a VHN bridge control manager coupled with the HAVi bridge control manager (See page 3, lines 33-39; wherein a HAVi-VHN DCM coupled with the VHN bridge control manager.

Shteyn teaches wherein the protocol translator comprises: a HAVi bridge control manager; a VHN bridge control manager coupled with the HAVi bridge control manager (See page 3, lines 33-39).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein the protocol translator comprises: a HAVi bridge control manager; a VHN bridge control manager coupled with the HAVi bridge control manager as taught by Shteyn in the claimed invention of Sawada in order to accommodate existing and emerging home networking architectures and application (See col. 8, lines 37-40). However, Sawada in view of Shteyn failed to teach wherein a HAVi-VHN DCM coupled with the VHN bridge control manager.

Lea teaches a DCM coupled with the bridge control manager (See col. 19, lines 29-35).

Art Unit: 2141

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate a HAVI-VHN DCM coupled with the VHN bridge control manager as taught by Lea in the claimed invention of Sawada in view of Shteyn in order to allow more sophisticated management of the devices (See col. 19, lines 19-20).

### *Conclusion*

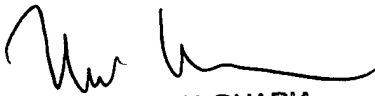
11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Djenane M Bayard whose telephone number is (571) 272-3878. The examiner can normally be reached on Monday- Friday 5:30 AM- 3:00 PM..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Djenane Bayard

Patent Examiner



RUPAL DHARIA  
SUPERVISOR